

 ORIGINAL

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - - x

UNITED STATES OF AMERICA :

- v. - :

RAMONA JIMENEZ, :

Defendant. :

FILED UNDER SEAL

INDICTMENT

08 Cr.

08 CRIM 622

COUNT ONE

(Access Device Fraud)

The Grand Jury charges:

Background

1. The New York State Medicaid Program (the "Medicaid Program") is a federal and state funded plan, affecting commerce, that serves individuals and families who meet specified financial and other eligibility requirements, and certain other individuals who lack adequate resources to pay for medical care. The Medicaid Program provides payment for medical services and products ranging from routine preventive medical care for children to institutional care for the elderly and disabled. Among the specific medical services and products provided by the Medicaid Program are prescription drugs. Pharmacies and other Medicaid Program providers typically bill the Medicaid Program using the Medicaid cards of Medicaid beneficiaries.

2. At all times relevant to this Indictment, RAMONA JIMENEZ, the defendant, was a Medicaid beneficiary.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC # 108-08

The Scheme

3. In or about May 2007, RAMONA JIMENEZ, the defendant, told a cooperating witness (the "CW") that JIMENEZ could obtain functioning Medicaid cards in exchange for cash. After the CW paid JIMENEZ approximately \$560, JIMENEZ provided a functioning Medicaid card issued in the name of a fictitious individual.

4. In or about April 2008, the CW informed RAMONA JIMENEZ, the defendant, that the Medicaid card was no longer working and needed to be reactivated. JIMENEZ, in sum and substance, expressed concern because she had recently perceived greater law enforcement attention to the Medicaid Program, but agreed to have the card reactivated. After the CW paid JIMENEZ, at JIMENEZ's request, an additional sum of approximately \$600, the fraudulent Medicaid card was reactivated and fully functional.

Statutory Allegation

5. From in or about May 2007 through in or about April 2008, in the Southern District of New York and elsewhere, RAMONA JIMENEZ, the defendant, unlawfully, willfully, knowingly, and with intent to defraud, did traffic in and use one and more unauthorized access devices during a one-year period, and by such conduct did obtain a thing of value aggregating \$1,000 and more during that period, to wit, JIMENEZ sold a Medicaid card in

exchange for approximately \$1,160.

(Title 18, United States Code, Sections 1029(a)(2) and 2.)

COUNT TWO


(Health Care Fraud)

The Grand Jury further charges:

6. The allegations contained in Paragraphs 1 through 4 are repeated and realleged as if set forth fully herein.

7. From in or about May 2007 through in or about April 2008, in the Southern District of New York and elsewhere, RAMCNA JIMENEZ, the defendant, and others known and unknown, unlawfully, wilfully, and knowingly, executed and attempted to execute a scheme and artifice to defraud a health care benefit program, and to obtain, by means of false and fraudulent pretenses, representations, and promises, money and property owned by, and under the custody and control of, a health care benefit program, in connection with the delivery of and payment for health care benefits, items, and services, to wit, JIMENEZ caused an active Medicaid card to be issued in the name of a fictitious person in exchange for cash payments.

(Title 18, United States Codes, Sections 1347 and 2.)


FOREPERSON


MICHAEL J. GARCIA
United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

UNITED STATES OF AMERICA

- v. -

RAMONA JIMENEZ,

Defendant.

INDICTMENT

08 CR ____

(Title 18, United States Code, Sections 1029(a)(2),
1347 & 2.)

Michael J. Garcia
United States Attorney.

A TRUE BILL

Keith Miller
Foreperson.

*7/10/08 - Fld. Sealed Indictment. Arrest
Warrant Issued. So Ordered.*

*Eaton, J. U.S. M.P. **